



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
---------------	-------------	----------------------	---------------------

07/914,386 07/17/92 GRAWE

J 60831/101

EXAMINER  
SPRINGER, D

12M2/0708

FOLEY & LARDNER  
SUITE 500  
3000 K. ST., N.W.  
WASH., D.C. 20007-5109

ART UNIT

PAPER NUMBER

1201

6

DATE MAILED: 07/08/93

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on \_\_\_\_\_  This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

1.  Notice of References Cited by Examiner, PTO-892.
2.  Notice re Patent Drawing, PTO-948.
3.  Notice of Art Cited by Applicant, PTO-1449.
4.  Notice of Informal Patent Application, Form PTO-152.
5.  Information on How to Effect Drawing Changes, PTO-1474.
6.  \_\_\_\_\_

**Part II SUMMARY OF ACTION**

1.  Claims 1 - 35 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2.  Claims \_\_\_\_\_ have been cancelled.

3.  Claims \_\_\_\_\_ are allowed.

4.  Claims 1 - 35 are rejected.

5.  Claims \_\_\_\_\_ are objected to.

6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.

7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8.  Formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable,  not acceptable (see explanation or Notice re Patent Drawing, PTO-948).

10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_ has (have) been  approved by the examiner,  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed on \_\_\_\_\_, has been  approved,  disapproved (see explanation).

12.  Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other \_\_\_\_\_

**EXAMINER'S ACTION**

FILB

Serial No. 07/914,386

-2-

Art Unit 1201

Claims 1-35 are pending.

Claims 1-35 are rejected under 35 USC 112, paragraph one, as having inadequate enablement as to how to (1) use and (2) make ; (1) use of solid state matrix embracing the Markush groups of claims 15-17 or the generic term "solid state matrix" has not been shown with sufficient teaching and enablement to provide reasonable assurance that the markush, anything within the definition thereof, possess the utility urged ; (2) sources of solid state matrix and its starting materials has not been shown with the particularity required by the statute. <sup>in re</sup> Howarth 210 USPQ 689 and Ex Parte Moersch 104 USPQ 122.

Claims 1-35 are rejected under 35 USC 112, paragraph <sup>two</sup> ~~one~~; as indefinite in the terms; (a) "a lead contaminant" <sup>is</sup> only lead oxide and lead halides have been shown to be so removed, (b) "surface comprising" is indefinite since the surface must have adsorbed or absorbed the lead oxides or halide contaminant, and "comprising" <sup>etc.</sup> essentially included solid lead oxide <sup>thus</sup> including substances and compounds and removal thereof that are undescribed, (c) "allowing composition to solidity" consists of minutes or days and is <sup>is</sup> this indefinite in duration and (d) functional for solidification time, (e) "contaminant detecting compound" is indefinite as it fails to set metes and bounds as to what is and what is not operable, but leaves this for others to so determine by subsequent undue experimentation, ~~of others~~ and

Art Unit 1201

(g)  
similarly (f) " liquid state composition" and "solid state matrix" derived therefrom are similarly without metes and bounds.

The following is a quotation of 35 U.S.C. § 103 which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Subject matter developed by another person, which qualifies as prior art only under subsection (f) or (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Claims 1-35 are rejected under 35 USC 103 as unpatentable over Japanese patents JP 59189200 and JP

8426666 (840215) provided by applicant which teach applying a polymeric substrate <sup>that is</sup> ~~dryable or~~ <sup>to a Surface</sup> containing lead contaminant, <sup>with the</sup> ~~substrate containing~~ <sup>a</sup> color indicating agents and <sup>the</sup> basic inorganic ( $\text{NH}_3\text{NaOH}$ ) chemical therein capable of reacting with the lead contaminant then subsequently peeling off or removing the lead contaminant containing polymer matrix. No patentable distinction over these teachings singly or in combination is seen.

Serial No. 07/914,386

-4-

Art Unit 1201

Any inquiry concerning this communication should be directed to Examiner Springer at telephone number (703) 308-1235.

Springer:lb  
June 14, 1993

*David B. Springer*  
DAVID B. SPRINGER  
PRIMARY EXAMINER  
ART UNIT 1201